IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.A.ABDUL GAFOOR
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

RP.No. 1108 of 2006

AGAINST THE JUDGEMENT/ORDER IN MA.30/2003 Dated 13/07/2005
Against the judgment in O.P.238/97 of the Family Court dated 28-2-2003, Thiruvananthapuram

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REVIEW PETITIONER/APPELLANT/RESPONDENT

P.S.VIJAYAN, S/O.SADASIVA PANICKER,
RAJESWARI BHAVAN, KUTTICHAL MELEMUKKU,
MANNOORKKARA VILLAGE, NEDUMANGAD TALUK,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.S.GOPAKUMARAN NAIR
DR.ABRAHAM P.MEACHINKARA

RESPONDENTS: PETITIONERS
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1. HANA RAJ, D/O.RAJESWARI,
SANTHI BHAVANAM, PERUKADA VILA DESOM,
NEYYATTINKARA TALUK.

2. BINDU RAJ, D/O.RAJESWARI,
SANTHI BHAVANAM, PERUKADA VILA DESOM,
NEYYATTINKARA TALUK.

BY ADV. SRI.K.KUSUMAM
SRI.BASANT BALAJI

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 19/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.A.ABDUL GAFOOR & K.P.BALACHANDRAN, JJ.

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R.P.1108 of 2006 & CMA 2247 of 2006 in Mat Appeal 30 of 2003

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Dated this the 19th day of December 2006

ORDER

BALACHANDRAN, J.

R.P.1108 of 2006 is filed by the appellant in Mat. Appeal 30 of 2003 for review of the judgment passed by this court in Mat Appeal 30 of 2003 on 13-7-2005 and CMA 2247 of 2006 is filed for condonation of delay of 482 days in filing the review petition. The review petition is also supported by a medical certificate issued by Dr.P.S.Pavithran, Civil Surgeon, General Hospital, Trivandrum certifying that the petitioner was getting treatment for his Diabetic Neuropathy with Seronegative Arthritis and was bed ridden from 5th July 2005 to 29th October 2006 and that he had advised complete bed rest during the above period of treatment. It is worthy to note that petitioner was not under treatment in any hospital and the certificate does not inspire confidence regarding the truth of the matter certified. The certificate also is dated, 29-10-2006. Even assuming that it can be acted upon, the review petition is filed only on 8-12-2006,

long after the petitioner ceased to be bed ridden and there is no valid explanation for the said delay. We do not find any reason in the circumstances to condone the delay of 482 days in filing the review petition.

In the result, we dismiss the delay condonation application and consequently the review petition as well.

K.A.ABDUL GAFOOR, JUDGE

K.P.BALACHANDRAN, JUDGE